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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Seventeenth session

SUMMARY RECORD OF THE 37th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 24 November 1997, at 3 p.m.

Chairperson: Mr. ALSTON

later: Mr. GRISSA

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS (agenda item 6):

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Third periodic report of the United Kingdom of Great Britain and Northern Ireland (continued) (E/1994/104/Add.11; E/C.12/A/UK/1; E/C.12/Q/UK/1; E/C.12/1997/NGO/1)

1. At the invitation of the Chairperson, the delegation of the United Kingdom took places at the Committee table.

Articles 6 and 7

2. Mr. WIMER asked at what age young people usually started work, for that was the only valid criteria for determining whether or not unemployment existed among them. He also asked whether any measures had been taken to facilitate access of qualified young people to the labour market.

3. Mr. AHMED, referring to various sources according to which the unemployment rate among Catholic men in Northern Ireland, despite the Government's efforts, was still twice as high as that for Protestant men, and the number of long-term unemployed was four times higher than in Great Britain (with Catholics accounting for 64 per cent of those unemployed for more than one year), asked what steps the authorities had taken to combat religious discrimination in employment in Northern Ireland and to reduce unemployment. He also asked for further information on the aims and implementation of the "New Deal" programme in that regard.

4. Mr. ADEKUOYE asked what measures the authorities intended to take to prevent the introduction of a minimum wage from translating in the long term into increased unemployment, as the former Government had maintained it would.

5. Replying to Mr. Grissa's question on the definition of "disability", Mrs. SCOTT (United Kingdom) said that, according to the 1995 Disability Discrimination Act, a disabled person was anyone whose physical or mental integrity was impaired and who as a result was unable to carry out a normal activity on a day-to-day basis, particularly at work. As to whether AIDS sufferers fell into that category, it all depended on the seriousness of the illness and whether or not they wished to inform their employers so that their condition could be taken into account in the tasks they were set. There was no one answer, since with AIDS as with any other illness the circumstances varied from case to case. In reply to Mr. Sadi's query as to why the number of disabled persons was so high, she explained that the figure of 5 million Mr. Sadi had mentioned was taken from a general survey of households on the illnesses that affected them. The study had nothing to do with the aforementioned Act or with the questions on employment.

6. Replying to Mr. Riedel's question on the steps taken by the authorities to help those ethnic minorities - particularly groups with a poor command of English - who had a higher unemployment rate than the rest of the population,

she said that the authorities had long been trying to improve their situation and that the present Government had taken further steps to help them. Several programmes, aimed not only at young people still at school but also at people in the labour market, had been implemented in educational establishments, and a new working group on education had just been set up. The group was studying which schools had the most success, in terms of academic results, with young people from ethnic minorities, so that their methods could then be applied in other establishments. It was also advising the education system on ways of sensitizing the population to differences between cultures and in particular on ways of combating racial discrimination and stereotyping and reducing the number of exclusions affecting students from such minorities. The working group was also examining the assistance provided in schools by staff who were specially trained to raise the academic level of members of ethnic minorities; the amount of such assistance varied according to the number of such students in the school. Another working group on academic standards in general might also be able to help such students. Furthermore, the Government was due to issue a white paper at the end of the year or in early 1998 on continuing education that would enable students - qualified or unqualified - to acquire or improve their qualifications. The authorities had requested the bodies running continuing training programmes to review their strategies from an equal opportunity standpoint so that all their programmes were geared to both young people and adults. The New Deal programme recently implemented by the Government, while not aimed exclusively at ethnic minorities, should make a particular contribution to the improvement of their situation, since one of the main age groups involved (18-24-year-olds) included a large number of members of ethnic minorities. The programme offered four options: (1) encouraging the employment of young people in the private sector through a subsidy to the employer for a period of up to six months; such employment would enable young people to gain the necessary skills and to become fully productive; (2) employment of young people in volunteer programmes lasting six months, with a weekly wage equal to normal benefit plus a fixed sum; (3) employment of young people under local rural and urban environmental improvement programmes; and (4) full-time study in approved programmes.

7. With regard to Mr. Antanovich's question on discrimination at work, she said that Blacks and Asians were increasingly accepted in the labour market, that mentalities were changing and that the level of qualification of certain members of ethnic minorities, in particular among the Chinese population, was extremely high. Replying to Mr. Rattray on the kind of jobs that were being created, she said that the New Deal programme described earlier involved jobs under special projects aimed at providing young people with the wherewithal to obtain a "normal" (e.g., non-subsidized) job more easily in the future.

8. In reply to Mr. Wimer's question regarding the age at which a person started work, she said that a student could leave school at 16, but that full-time education was free up to the age of 18. Between the ages of 14 and 16, students were monitored individually by the Careers Service, whose task it was to help them to choose between starting work and continuing their studies. The Careers Service also published a large number of brochures, written in a contemporary style, on possible careers. After the age of 18, those who wished to work could apply to employment agencies, which would provide all the necessary information on the jobs available.

9. Mr. MASSON (United Kingdom), replying to the question why the authorities had not already introduced a national minimum wage, said that Churchill had in fact instituted a system of minimum wages at the beginning of the century, covering almost every sector of employment. In addition, wages councils had been created to set minimum wages for different types of employment but, with one exception, had all been abolished during the 1980s. The new Government that had taken office in May 1997 firmly intended to introduce a national minimum wage. The Low Pay Commission, which advised the Government on the minimum wage, had already been established and would report to the Government the following April. Legislation on a national minimum wage was about to be put before Parliament and the authorities hoped that the system would be in operation by 1999. The introduction of a national minimum wage formed part of a broader government programme to establish decent minimum standards for workers, which would be implemented through the adoption of legislative measures (such as the application of European Union directives) and measures aimed at ensuring good working conditions for workers.

10. With regard to measures relating to competitiveness, he said that the Government intended to maintain labour market flexibility and ensure that companies were competitive and continued to create jobs. In answer to Mr. Texier's query as to whether the national minimum wage would allow families to live decently, he acknowledged that applying a single minimum wage to the whole country made it difficult to take account of national and occupational differences. Special provision might be made for young people and trainees but, for the moment, nothing had been decided. The Low Pay Commission would inform the Government of its views on the matter. It was the combination of a national minimum wage and any benefits that workers with dependants could claim if necessary that would ensure an income sufficient to allow a family to live decently.

11. With regard to the steps the Government had taken to bring unemployment down to its current rate of around 6.5 per cent, he explained that a number of factors had contributed to its decline. The main one was the economic cycle. Once the recession of the early 1990s had ended, unemployment had started to fall almost immediately owing chiefly, according to the authorities, to the flexibility of the labour market. The drop in unemployment was also a consequence of the Government's constant efforts to help the unemployed. Moreover, long-term unemployment had generally fallen in the same proportion as overall unemployment. In reply to Mr. Adekuoye's question on the negative effects that the introduction of a national minimum wage could have on unemployment, Mr. Masson said that the Low Pay Commission was currently studying the matter and that, when the Government finally set the national minimum wage, one of its concerns would be that it did not lead to a rise in unemployment.

12. Mr. FIFOOT (United Kingdom), replying to Mr. Ahmed and Mr. Texier, said that around 62 per cent of the labour force in Northern Ireland was Protestant and 37 per cent Catholic. Although the short-term unemployment rate was practically the same as in Great Britain, i.e. 5.1 per cent, the long-term rate, at between 2.3 per cent and 2.5 per cent, was higher. Catholics accounted for 50 per cent of the short-term unemployed and 61 per cent of the

long-term unemployed. The proportion of employed persons who were Catholics, however, was rising rapidly, particularly in managerial positions, careers in commerce and within the professions.

13. Returning to the New Deal programme to combat discrimination, he explained that, under one part of the programme, financial incentives were offered to companies recruiting long-term unemployed. An additional budget allocation of £140 million had been made available to Northern Ireland for job creation. The United Kingdom intended to follow up the recommendations of the Standing Advisory Commission on Human Rights concerning employment and equity in the labour market, in a document to be published the following winter.

14. Mr. TEXIER, referring to the reply of the United Kingdom Government (document without symbol), said that, according to the reply to question 31, the minimum wage would be introduced in such a way as to promote business competitiveness and ensure fair competition. Those were economic considerations, whereas the purpose of a minimum wage as provided under article 7 of the Covenant was of a social security and not economic nature. A complex issue, it was related to globalization, a process under which more and more companies in the North were relocating to countries in the South. The countries of the North should, however, beware of dismantling all their social safety nets, for the aim was not to level down but to level up.

15. Mr. WIMER asked whether the minimum wage was set at the regional or the national level.

16. Mr. GRISSA was surprised that there should be 5 million disabled people in the United Kingdom: such a vast number was only conceivable in the aftermath of a war. Could the reason be that it was in the interests of those participating in the survey to claim to be disabled?

17. Mr. AHMED agreed that the Fair Employment Act was a good piece of anti-discrimination legislation. The Standing Advisory Commission on Human Rights, however, deplored the Act's ineffectiveness and therefore recommended: (a) that legal aid should be provided in respect of all complaints lodged under the Act; (b) that the definition of indirect discrimination should be broadened so that employers were obliged to justify any measure or policy that had negative consequences for persons of a particular religion; (c) that the fair employment tribunals should be empowered to award damages in any case of indirect discrimination.

18. Mr. Ahmed deplored the lack of legislation limiting the working day or the working week.

19. Mr. MASSON (United Kingdom), replying to Mr. Texier, said that, while the basic aim of introducing a minimum wage was social, that did not mean that employment should be put at risk. Furthermore, it was important to maintain business competitiveness. Therefore, over and above the concern for social welfare, it was also necessary to ensure that good employers were not pushed into bankruptcy by bad employers who paid derisory wages.

20. Replying to Mr. Wimer, he explained that the guaranteed minimum wage was set nationally and not regionally. He shared Mr. Ahmed's views on

the lack of legislation to limit working hours, but said that the Government was preparing to implement the European Union directives on the subject.

21. Mrs. SCOTT (United Kingdom), replying to Mr. Grissa, explained that the figure of 5 million disabled had been obtained in the course of a general survey in which those questioned were asked to say whether they considered that they suffered from a condition which represented a handicap in the search for work. There was a precise legal definition of disability which was used in the courts.

22. Mr. GRISSA considered that the existence of two definitions could lead to confusion and recommended that the non-legal definition should be discarded.

23. Mr. FIFOOT (United Kingdom), replying to Mr. Ahmed, explained that the Standing Commission's recommendations had not been submitted to the Government until June and that the Government's response would appear in the white paper mentioned previously.

24. The CHAIRPERSON emphasized that, although the new Government had only been in office since May and a great many approaches were still being considered, there was no reason why the Committee should not recommend the adoption of a given measure.

25. Mr. RATTRAY, reverting to the subject of the minimum wage, was afraid that the need to ensure social security might well be incompatible with a concern to preserve jobs, particularly as, according to the report, exemptions were being considered for apprentices and young people between 16 and 25 years of age. In that case, a kind of rotation system might develop that would allow an employer, particularly in industries where no special skills were required, to replace one set of apprentices with another. At a time when the manufacturing industry was being overtaken by the services sector, which was characterized by what had become known as the "McDonald philosophy", there was a risk that the basic value of labour would cease to be recognized and that young people between 16 and 25 would become trapped in a system that prevented them from progressing beyond the minimum wage.

26. Mr. FIFOOT (United Kingdom) said that the issues raised by Mr. Rattray were of great interest and that the Low Pay Commission was well aware of them.

Article 8

27. Mr. AHMED said that, in 1995, a British court had upheld a provision of the 1978 Employment Protection Act which allowed employers to offer workers financial inducements to give up trade union representation. In 1996 the Committee of Experts of the International Labour Organization (ILO) had found that the Act violated Convention No. 98, which guaranteed the right to organize and to bargain collectively, and had asked the United Kingdom Government to amend its legislation. The Government had not yet acted on the matter.

28. Mr. TEXIER said that the Government's replies were confusing. He did not understand the rules governing the right to strike. Whereas the reply to

question 42 stated that the law of the United Kingdom gave every employee the freedom to strike, the replies to other questions stated that employees who went on strike were in breach of their contracts of employment. In several countries, strike action implied at most a suspension of the contract. It appeared that it was currently legal in the United Kingdom to dismiss workers who took strike action, which was a serious violation of the right to strike. Mr. Texier assumed that there was currently no possibility of redress against dismissal and requested clarification of the issue which, in his opinion, was a violation of article 8 of the Covenant.

29. Mr. Grissa took the Chair.

30. Mr. RIEDEL endorsed Mr. Texier's comments but pointed out that the answers to questions 39 and 42 clearly emphasized the fact that workers subject to unfair dismissal could bring a complaint before the courts. He asked whether that approach was the same as the one applied in continental Europe, i.e. that strike action implied a suspension of the contract but that employees were reinstated when the strike ended.

31. Mr. ADEKUOYE said that even though there was no contradiction between individual contracts and union membership, an employer could always deny a wage increase to a union member who refused to sign an individual contract. Was that not a violation of the right of association?

32. Mr. THAPALIA said that the Council of Europe had determined that United Kingdom labour law violated the European Social Charter, and therefore the spirit of the Covenant, by permitting an employer to dismiss all employees who took part in a strike and then, after three months, to rehire them selectively. The Council had requested the United Kingdom Government to notify it of the measures taken to rectify the situation, but to no avail. How many working hours had been lost during recent years in collective bargaining? Why had the Government not ratified ILO Conventions Nos. 99 and 101? Had there been any change in labour legislation since the Labour Party came to power?

33. Mr. WIMER shared Mr. Texier's and Mr. Riedel's concerns on the subject of the right to strike. However, the problem appeared to lie partly in the ambiguous wording of the reply to question 43, which contradicted itself. There seemed to be confusion between the labour conflict itself and an inter-union dispute. The United Kingdom delegation should clarify the matter.

34. Mr. AHMED said that not only was there no statutory right to strike but, in particular, legislation passed during the 1980s by the former Government had restricted the provision of legal immunity from prosecution for union members taking part in a lawful strike.

35. Mr. ANTANOVICH said that, according to the country analysis (E/C.12/A/UK/1, p. 17), the Trade Union Reform and Employment Rights Act of 1993 encouraged employers to discriminate against trade union members, short of dismissal, and to undermine collective bargaining. Furthermore, contrary to ILO Convention No. 98, it was lawful to circulate blacklists of union members. He asked what the current situation was, a new Government having taken office and the New Deal programme having been implemented.

36. Mr. RATTRAY said that the new Government had stated in its electoral platform that it would devote its full attention to the issue. However, the reply to question 39 showed that the Government had given no indication that it intended to amend the Trade Union Reform and Employment Rights Act of 1993, section 13 of which allowed employers to offer incentives to switch from collective agreements to individual contracts and vice versa. What was the Government's current position on the issue? There was a fundamental distinction between the freedom to strike and the right to strike. The freedom to strike derived from the abolition of slavery: no one could be forced to work. The right to strike, however, should not give rise to legal consequences such as dismissal, for that would constitute a violation of article 8 of the Covenant. In that light, the United Kingdom Government was invited to consider the question of its obligations under article 8, a suggestion that was in line with the Council of Europe statement.

37. Mr. MASSON (United Kingdom) said that the question of employers inducing workers to give up collective bargaining in favour of individual contracts would be dealt with in the white paper on fair employment, which would be published by the Government in 1998 and probably result in draft legislation.

38. The law granted every employee the freedom to strike. However, since any strike usually implied a breach of contract and since that breach of contract was illegal under common law, the employer could in theory dismiss an employee who took strike action, but in practice that rarely happened. If employees took part in an official strike - i.e., one called or organized by their union - and one of them was dismissed while others were not, the dismissed employee could bring a complaint before a labour tribunal for unfair dismissal. In addition, the Government had proposed that workers dismissed during a legal strike should be able to bring a complaint before a labour tribunal for wrongful dismissal. That proposal would almost certainly be one of the issues addressed by the employment legislation on which the Government would be entering into consultations at the beginning of 1998. He also pointed out that trade unions that called a strike could not be prosecuted for incitement to breach of contract, as long as certain conditions were met, inter alia that the decision to strike had been taken by majority vote and that notice had been given to the employer.

39. In any case, the Government's view was that it was not appropriate to consider a strike as a suspension of the contract of employment.

40. With regard to blacklists, any discrimination against an employee based on trade union membership was illegal. In order to prevent blacklists being circulated, the Government would be presenting a bill implementing the European Union directive on the matter to Parliament in the near future.

41. Neither the former Government nor the present Government had ratified ILO Conventions Nos. 99 and 101 because they went beyond current legislation. The number of working days lost through stoppages of work was 260,000 in 1994, 410,000 in 1995 and 1.3 million in 1996.

42. With regard to trade union activities at the Government Communications Headquarters (GCHQ), staff employed there were now free to join any union they chose.

43. Mr. AHMED asked why the United Kingdom Government disregarded the Council of Europe's view that dismissal of workers who took part in a strike contravened the European Social Charter.

44. In the opinion of Mr. TEXIER, the fact that a worker could be dismissed for taking part in a strike and that work stoppages could be equated with breach of contract seemed incompatible with article 8 of the Covenant.

45. Mr. RATTRAY said that the law should state explicitly that a strike did not imply a breach of contract and that any dismissal for strike action was therefore unfair.

46. He also wondered whether the war the Government had waged against the unions, particularly during the 1980s, might not go some way towards explaining the fall in union membership.

47. Mr. MASSON (United Kingdom) said that Great Britain was not a signatory of the European Social Charter and was therefore not obliged to follow Council of Europe recommendations relating to its implementation.

48. Furthermore, the adoption of a legal provision such as the one Mr. Rattray had proposed risked altering the balance of power between the social partners and would run counter to the traditional idea of a strike being not a suspension but a breach of the contract of employment. Having said that, the United Kingdom delegation was well aware that other countries might have a different point of view.

49. A drop in union membership had been observed in many countries. It was due chiefly to the restructuring of the economy, and in particular to the decline of heavy industry, where union membership was traditionally very high.

Article 9

50. Mr. ANTANOVICH asked what steps would be taken to bring about the social changes announced in the Government's programme.

51. Mr. CEAUSU requested further details regarding the special programme designed to meet the needs of full-time students who were not entitled to supplementary benefits, housing benefits, or unemployment benefits.

52. Mrs. JIMENEZ BUTRAGUEÑO asked whether the retirement age had been raised for certain occupations, as had happened in Spain, and how older persons' skills were put to use.

53. Mrs. MOORE (United Kingdom) disputed the assertion of one non-governmental organization that one quarter of the British population lived below the poverty line. The NGO had arbitrarily estimated the threshold at half the average income of the population. Yet the purchasing power of United Kingdom residents whose income was half the average was greater than that of residents in the other European countries, with the exception of Germany and Luxembourg, where the situation was comparable. The range of incomes to be found in the United Kingdom was certainly very wide. In the view of the former Government, such gaps acted as a stimulus, which was why it

had emphasized measures to promote employment and the growth of income through work. The current Government was undoubtedly more concerned about the disparities in income, but it too basically wished to prioritize job creation.

54. She also emphasized that the poverty threshold could not be the same for everybody. The position of a young person living in the parental household and that of a single person who was unemployed and had dependent children, for example, were quite different.

55. As there was a large number of single-parent families in that position in the United Kingdom, successive Governments had taken steps to help them to find work and obtain a decent standard of living which the various social benefits could not provide. Surveys had shown that two thirds of persons who had been in the low income bracket in 1991 were no longer in that category four years later.

56. Replying to Mr. Antanovich, she said that the Government would probably change the way the social security system worked, since in its view it was not a good thing for a person to live off social benefits. It would therefore be necessary to help social security claimants to find a job and thus to reduce such expenditure. It was not the intention of the United Kingdom Government, however, to reduce the level of social security benefits paid to individuals. The resources needed to improve social security in what the Government considered to be priority sectors would be made available by reducing the number of recipients of those benefits. In response to Mr. Ceausu's question on students' entitlement to social security benefits, she explained that the social security system helped those who could not or did not wish to work and that students did not fall into that category. The assistance they received came from other sources such as grants, loans and parental support. Nevertheless, if their family situation justified it, they could, like anyone else, receive social security benefits.

57. In reply to Mrs. Jimenez Butragueño's question on the possibilities open to older persons, she explained that, under the British social security system, members of that group were encouraged to perform, quite legally, paid work and to put off the time when they availed themselves of their pension rights in order to build up the amount that would ultimately be paid to them as a pension.

58. Mrs. JIMENEZ BUTRAGUEÑO asked whether the retirement age was the same for men and for women in the public sector and the private sector.

59. Mr. ADEKUOYE asked if the United Kingdom Government intended to eliminate the disparities in the benefits paid to disabled persons, which depended on the age of the person, the age at which the disability occurred, the conditions in which it happened, i.e. as a result of an accident at work or not, the length of residence in the country, etc.

60. Mr. WIMER asked whether a child benefit was paid to persons residing illegally in Great Britain.

61. Mr. THAPALIA wished to know more about the situation of older persons in Great Britain, the social security benefits they received, the number of homes for older persons, and the scales applied. Was there any assistance for home care, for example?

62. Mr. GRISSA asked whether there were any illegal workers in Great Britain and, if so, whether they were entitled to social security benefits.

63. Mrs. MOORE (United Kingdom) said that the retirement age - i.e., the age at which a person could draw the State retirement pension - was currently 65 for men and 60 for women. However, by 2010 or 2020, the retirement age for women too would have been extended to 65. The lengthy adjustment period should allow individuals to take the necessary steps to adapt to the new situation. Private sector employers, too, set the retirement age for their employees partly in relation to the nature of the work. The age varied but should be the same for men and women. The majority of civil servants retired at 60, but the age varied in other public service sectors - teaching, for example. In sum, the age at which individuals should begin to draw their retirement pension, if they had taken advantage of the favourable terms offered by the Treasury, which allowed them to build up a private supplementary pension, was set at 70 at the latest in order to prevent abuse, since the capital accumulated was eligible for tax advantages.

64. In reply to Mr. Adekuoye's question on benefits for the disabled, she explained that the amount received varied according to age and the reasons for the disability. Since 1948, the year in which the system had been created, the amount of disability benefit paid after an accident at work had always been higher than in other cases, the idea being to make up for the loss of earnings incurred by victims whose disability prevented them from improving their standard of living and saving money. For the same reasons, the earlier the disability began, the higher the benefit paid.

65. Similarly, there were minor differences in the amount of the benefit paid out for children - disabled or not - depending on the amount of care the child needed. Thus a 5-year-old required more care than an older child. No child benefit was paid to illegal workers. On the other hand, asylum seekers' children were supported by the local authorities. In answer to Mr. Grissa's question, asylum seekers themselves received social security benefits until their case was decided.

66. In response to Mr. Thapalia's question on assistance to older persons and their families, she said that an invalid care allowance was paid to a member of the family who gave up work in order to look after an older person who was an invalid. The allowance consisted partly of a fixed amount and partly of a contribution to the pension fund to make up for forgone contributions. The number of people receiving the allowance had increased considerably during the previous 10 years, and older persons' incomes had improved markedly over the previous 15-18 years.

Article 10

67. Mr. ADEKUOYE asked what was understood by the words "without recourse to public funds", used by the United Kingdom in its reply to question 63 to the

effect that the parties to a marriage should "be able to maintain and accommodate themselves adequately and in accommodation which they own or occupy exclusively without recourse to public funds". Furthermore, the rul on admission of spouses or fiancés were by no means always observed and he requested further information on that subject.

68. Mr. TEXIER asked whether it was true that, as certain NGOs reported, there was a very long wait before political refugees' spouses were able to join them in the United Kingdom.

69. Mr. CEAUSU noted that the reply to question 58 gave the estimated numb of assaults on women as 680,000 and asked what the causes of such a social evil were. He wondered what the profile of affected families was and whethe poverty and alcoholism were factors. With regard to the conditions imposed British law on family reunion, he asked whether, since one such condition wa that the applicant should not be in receipt of public funds, recipients of housing benefits could apply for family reunion or whether they were deemed be in receipt of public funds. Did the expression mean that the applicant w entirely dependent on public assistance?

70. Mr. THAPALIA asked what the Government was doing to help homeless and abandoned children, particularly children of immigrants. How many children' homes were there in the United Kingdom? Had the Government taken any measur to safeguard the ultimate interest of children in areas such as social security and education? He also asked what steps had been taken to combat domestic violence in the United Kingdom and whether there was a family court

71. Mr. GRISSA wondered what the definition of "household' was. Did the term apply to unmarried couples or to persons of the same sex who lived together? If a couple separated who was deemed to constitute a household?

72. Mr. RATTRAY asked whether the legislation on domestic violence made any distinction on the grounds of sex with regard to its implementation, the protection of interested parties, and the penalties imposed. He also asked about the declining number of children's homes in the United Kingdom and the frequent cases of abuse noted among foster families. What was the position with regard to the admission of a child to the United Kingdom if he or she wa accompanied by only one of the parents?

73. The CHAIRPERSON announced that he had received, together with a report which had been distributed to the Committee members, a letter from the Chairman of the Hong Kong Human Rights Commission expressing his grave concern at a decision by the Government of the Hong Kong Special Administrative Region to deport 1,500 children who had right of abode in Hong Kong and whose families lived there. The decision was a clear violation of the International Covenant on Economic, Social and Cultural Rights and of the Sino-British Joint Declaration, inter alia. The Chairman of the Hong Kong Human Rights Commission strongly urged the Committee to discuss the issue as soon as possible.

The meeting rose at 6.05 p.m.